

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
May 24, 2016
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Joanne Boulton, Alex Berger III, Rich Lintz, and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Absent: Mark Winings

Alderman Boulton moved to approve the May 10, 2016 minutes. Alderman Garnholz seconded.

The motion to approve the minutes passed unanimously on a voice vote.

Alderman Boulton moved to approve the May 20, 2016 minutes. Alderman Garnholz seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

AN ORDINANCE TO CONSIDER APPROVING THE 2ND QUARTER AMENDMENT TO THE FISCAL YEAR 2016 BUDGET

City Manager Owens reported that the City of Clayton reviews and makes adjustments to its budgeted revenues and expenditures on a quarterly basis to respond to changes as the fiscal year progresses and to update the Board regarding budgetary issues. As part of the quarterly budget review, staff is presenting for your consideration the second amendment to the Fiscal Year 2016 (FY16) budget. This amendment consists of various aspects, including reducing revenue where projections are trending less, and reducing expenditures where projected savings has, or will, occur. The adjustment for HVAC work in the Fire Department is no longer included in this amendment.

This amendment maintains a surplus in the General Fund. As a reminder, the 2nd Quarter Financial Report will be on the next meeting's agenda. The proposed amendment is summarized in a report provided previously to the Board as part of the agenda packet.

In response to Mayor Sanger's question regarding the balanced General Fund and if the numbers would change it to the negative, to the positive, or is it right where it's supposed to be, Betty Luebke confirmed that the city is still in a surplus situation.

City Manager Owens pointed out that Alderman Berger raised the question about the Financial Institutions' fee and explained that this is a tax levied on financial institutions within the State of Missouri. The tax rate is 7% of net income, although certain institutions are subject to additional taxes on assets or dividends paid.

Alderman Berger expressed appreciation that the parking meter revenue rate change from \$1.00 per hour to \$1.50 to match the rate of the City of St. Louis is listed in the budget as a result of previous budget discussion.

Alderman Garnholz introduced Bill No. 6554, an ordinance to approve the 2nd Quarter Budget amendment read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6554, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6554 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6554, an ordinance to approve the 2nd Quarter Budget amendment to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6554, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto for the first time by title only.

Alderman Garnholz – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6427 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT FOR THE FIRE DEPARTMENT HVAC IMPROVEMENTS PROJECT

City Manager Owens reported that due to additional information required to discuss this item he recommends withdrawing this item from discussion.

Alderman Garnholz moved to withdraw Bill No. 6556 from further consideration. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A BID SUBMITTAL FOR THE CARONDELET PLAZA PAVING PROJECT

City Manager Owens reported that due to additional information he recommends withdrawing this item from discussion.

Alderman Garnholz moved to reject the bids and withdraw Bill No. 6557 from further consideration. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH N.B. WEST CONTRACTING COMPANY FOR THE FY16 RESURFACING PROJECT

City Manager Owens reported that the Public Works Department is requesting approval of a construction contract for the FY16 Resurfacing Project. In 2015/2016, Horner & Shifrin, Inc. completed the design of the project.

This project will include the replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb & gutter, minimal storm sewer installation, base repair where necessary, and the removal and replacement of two inches of asphalt surface.

Bids were opened at 1:05 pm on May 10, 2016. The City received three bids as shown on the attached bid tabulation. N.B. West Contracting Company submitted the lowest responsive, responsible base bid in the amount of \$2,176,503.34. The final engineer's estimate for this work was \$2,288,522.50, so the bid came in under the final estimate. Add Alternate Bid's ("A" & "B") for N. Polo Drive (private street) and the Clayton Schools portion of Mark Twain Circle were included in the bid package for the sole purpose of establishing the cost of the work with no intention of being accepted by the City. The contractor will enter into a contract with these parties directly if they so choose. The second lowest bid came from Krupp Construction at \$2,210,191.29, only 1.5% higher than N.B. West's.

The Capital Improvement Fund has \$3,540,000 budgeted for this activity in FY 2016 which included Hillcrest which was delayed at the request of the subdivision.

Given the problems we have had in getting good bids for the Carondelet Plaza project and that N. B. West is one of the few contractors that does NovaChip (Ultrathin Bonded Asphalt Wearing Surface), staff approached N.B. West as to their interest in performing a refined scope for Carondelet Plaza, involving curb repair, curb ramps, and a NovaChip overlay while they are doing the FY 16 Resurfacing project. They have indicated an interest in including this work in their project.

City Staff recommends approval of the construction contract with N.B. West Contracting Company for the base bid value of \$2,176,503.34. In addition to the contract amount, the City Staff requests authorization to approve change orders in an amount not to exceed \$400,000.00, which is approximately 10% of the base bid plus \$180,000 to potentially include Carondelet Plaza in the project. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

Staff recommendation is to approve the ordinance authorizing a contract with N.B. West Contracting Company in the amount of \$2,176,503.34, plus a contingency of \$400,000.00 for the FY16 Resurfacing Project.

In response to Alderman Berger's question, City Manager Owens explained that the difference in the budgeted numbers is due to the delay of the Hillcrest Neighborhood project.

In response to Mayor Sanger's question, Dale Houdeshell stated that construct would begin in mid-June with the curb ramp and the asphalt work would begin later in the year. Horner and Shifrin has already done the engineering work, design plans and the bid specifications.

In response to Alderman Boulton's question, City Manager Owens explained that the city has asked this contractor to include some of the Carondelet Plaza work.

Alderman Berger expressed his concerns on communication to the residents in Clayshire on the possibility of the interruption to access through the tunnel into Shaw Park. City Manager Owens and Dale Houdeshell stated that the access would only be closed for a short period (few minutes or an hour or so) of time during the daily operations of construction trucks. There are no plans to close the access for an extended number of days. City Manager Owens added that staff will communicate the information if necessary.

In response to Alderman Lintz's question, City Manager Owens confirmed that this option does preclude the other options for Carondelet and that staff believes this is the best way to go.

Alderman Garnholz introduced Bill No. 6558, an ordinance to approve a contract for the FY2016 Residential Resurfacing Project read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6558, an Ordinance Approving a Contract with N.B. West Contracting Company for the FY2016 Resurfacing Project for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6558 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6558, an Ordinance Approving a Contract with N.B. West Contracting Company for the FY2016 Resurfacing Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6558, an Ordinance Approving a Contract with N.B. West Contracting Company for the FY2016 Resurfacing Project for the first time by title only.

Alderman Garnholz – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6428 of the City of Clayton.

A MOTION TO CONSIDER APPROVING THE ALDERMANIC ASSIGNMENTS TO THE BOARDS AND COMMISSIONS

In order to be consistent with the *Charter* requirements all appointments/assignments to the Boards and Commissions requires approval by the Board of Aldermen. The following assignments are proposed by Mayor Sanger:

Clayton Century Foundation

Alderman Mark Winings
Alderman Ira Berkowitz

CRSWC

Alderman Alex Berger III
Alderman Ira Berkowitz

Plan Commission/ARB

Alderman Joanne Boulton

Economic Development Advisory Committee

Alderman Cynthia Garnholz
Alderman Alex Berger III

Parks & Recreation Commission

Alderman Mark Winings
Alderman Cynthia Garnholz

Public Art Advisory Committee

Alderman Joanne Boulton

Non-Uniformed Employees Retirement Fund Board

Alderman Alex Berger III
Alderman Rich Lintz

Uniformed Employees Retirement Fund Board

Alderman Alex Berger III

Alderman Rich Lintz

Sustainability Committee

Alderman Rich Lintz
Alderman Ira Berkowitz

Other

Alderman Cynthia Garnholz-St. Louis County
Municipal League

Alderman Garnholz moved to approve the aldermanic assignments. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

BOARD UPDATE ON STATUS OF ONGOING PROJECTS

City Manager Owens provided a brief summary on the ongoing projects. A detailed report was provided to the Board previously as part of the agenda packet.

Other

Alderman Boulton reported that the Uniformed Employees' Retirement Fund Board met and they purchased an asset to replace another asset fund.

Alderman Berkowitz reported that the Clayton Century Foundation is starting a subcommittee for project review to help supplement the projects list and they will meet on June 17.

In response to Alderman Boulton's question, City Clerk Frazier stated that the aldermanic assignments for the Boards and Commissions will begin on July 1.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Lintz seconded the motion.

Alderman Garnholz – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further regular business the meeting was adjourned at 7:41 p.m.

Mayor

ATTEST:

City Clerk